

RESOLUTION NO. 46-2005

**A RESOLUTION OF THE CITY COUNCIL, CITY OF MILWAUKIE, OREGON AUTHORIZING THE MAYOR TO SIGN THE INTERGOVERNMENTAL AGREEMENT—MAIN STREET VILLAGE II BETWEEN THE CITY AND THE METROPOLITAN SERVICE DISTRICT FOR THE JOINT MARKETING OF PROPERTY LOCATED AT 10700 SE MCLOUGHLIN BOULEVARD AND 10721 SE MAIN STREET AND CANCELLING THE DELEGATION OF AUTHORITY TO THE CITY MANAGER TO EXECUTE THE AGREEMENT AS SET OUT IN RESOLUTION 39-2005**

**WHEREAS**, the Metropolitan Service District (Metro) is acquiring property within the City located at 10700 SE McLoughlin Boulevard (Texaco Property); and

**WHEREAS**, the City owns the parcel adjoining the Texaco Property and located at 10721 SE Main Street (City Property); and

**WHEREAS**, the Texaco Property and the City Property jointly occupy one block within the City; and

**WHEREAS**, Metro and the City intend to jointly market the Texaco Property and the City Property so that the entire block may be developed by a future purchaser; and

**WHEREAS**, it is in the best interests of the City to secure an agreement to jointly market the whole block; and

**WHEREAS**, the Metro Council will approve the acquisition of the Texaco Property on the condition that Metro and the City enter into an intergovernmental agreement (IGA) setting forth each party's authority and responsibility with respect to the joint effort; and

**WHEREAS**, execution of an IGA by both parties is required in order for Metro to close its purchase of the Texaco Property; and

**WHEREAS**, the authority to execute the IGA was previously delegated to the City Manager by Resolution 39-2005 in order to ensure completion of the IGA before the closing on the Texaco Property; and


**WHEREAS**, the closing on the Texaco Property is now scheduled after this meeting of the City Council, thereby enabling Council action within the parties' time frame.

**NOW, THEREFORE, BE IT RESOLVED, by the City Council, City of Milwaukie, Oregon, that:**

Section 1. The delegation of authority to the City Manager to sign the Intergovernmental Agreement—Main Street Village Phase II granted by Resolution 39-2005 is hereby revoked.


Section 2. The Mayor is authorized to sign the Intergovernmental Agreement—Main Street Village Phase II.

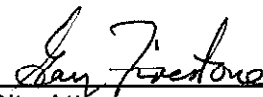
Section 3. This Resolution takes effect upon its adoption.

  
James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:  
Ramis, Crew & Corrigan LLP

  
Pat DuVal, City Recorder

  
City Attorney